

Notice of Allowability

Application No.

10/675,364

Examiner

Christopher Verdier

Applicant(s)

TURNQUIST ET AL.

Art Unit

3745

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment dated May 2, 2006.
2. ☒ The allowed claim(s) is/are 10-12.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Richard DeCristofaro, Attorney of Record, on July 17, 2006.

The application has been amended as follows:

In the Claims:

Claim 10 is amended as follows:

- 10. (Currently amended) A turbomachine with active clearance control comprising:
- a centrally disposed rotor;
 - at least one row of rotating blades extending radially from the rotor, and each of the rotating blades having a rotor blade tip;
 - a shell enclosing the rotor and rotating blades;
 - at least one stator carrier split along a splitline into a first segment and a second segment, with at least one row of stator blades extending centripetally from the first segment and from the second segment, the at least one stator carrier adjustably housed within the shell and each of the stator blades

having a stator blade tip, and with stator seals centripetally disposed on the first segment and second segment; and

at least one displacement apparatus, each individual displacement apparatus in operable communication with the first segment and the second segment, and the at least one displacement apparatus is configured to move the first segment and second segment radially away from each other thereby providing active clearance control to the rotor blade tips and the stator blade tips. --

The above change to claim 10 has been made to place the application in condition for allowance by defining over Ciokajlo 5,104,287, by clarifying that each individual displacement apparatus is in operable communication with the first segment and the second segment.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: the instant application is directed towards an unobvious improvement over the invention patented in U.S. Patent 5,104,287. The improvement comprises each individual displacement apparatus being in operable communication with the first segment and the second segment. In U.S. Patent 5,104,287 (figures 9-11), each individual displacement apparatus 142 is not in operable communication with the first segment 120A and the second segment 120A. Rather, each displacement apparatus communicates with only a single segment. None of the prior art of record discloses or suggests the combination of the split stator carrier having a first segment and

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a second segment, with at least one row of stator blades extending from the first segment and the second segment, and at least one displacement apparatus, with each individual displacement apparatus being in operable communication with the first segment and the second segment.

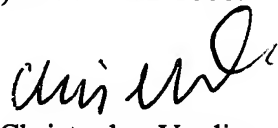
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Verdier whose telephone number is (571) 272-4824. The examiner can normally be reached on Monday-Friday from 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward K. Look can be reached on (571) 272-4820. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

C.V.
July 17, 2006


Christopher Verdier
Primary Examiner
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